

Notice of Allowability

Application No.

09/620,199

Examiner

Andre Boyce

Applicant(s)

PARKER ET AL.

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment after final filed February 12, 2007.
2. ☒ The allowed claim(s) is/are 1-10, 12-30, 43 and 44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


ANDRE BOYCE
PATENT EXAMINER
A. U. 3623

DETAILED ACTION

1. The following is in response to Applicant's amendment after final filed February 12, 2007. Claim 53 has been amended. Claims 1-30 and 43-54 are pending.
2. The previously pending rejection to claim 53 under 35 U.S.C. 112, first paragraph has been withdrawn.

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because figures 2-9 include dark shading which makes the drawings difficult to read. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Examiner's Amendment

4. An Examiner's Amendment to the record appears below. Should changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

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5. Authorization for this Examiner's Amendment was given in a telephone interview with C. Douglass Thomas on March 12, 2007. The application has been amended as follows:

In the claims:

1. (Currently Amended) A computer-implemented method ~~in a computer system~~ for dynamically creating a schedule of timeslot segments for a plurality of routes and timeslots, the method comprising:

determining from a calendar, a set of possible route types for a selected day and a template Identifier;

based upon the determined set of possible route types, retrieving a set of available route types from a template identified by the template identifier, wherein the available route types are limited to those route types that are within the set of possible route types, wherein the template includes at least available route types;

for each available route type, determining a set of routes for the selected day; and

for each set of routes, creating in a data repository a set of schedulable timeslot segments that correspond to the selected day,

wherein the routes are determined based on the available route types, the route types being descriptors or identifiers for grouping the different routes, and wherein each of the routes is not separated into different route types, wherein at least one of the available route types is a default route type that is available for distribution of products

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or services on normal days, and wherein at least another one of the available route types is a special route type that is available for distribution of products or services on holidays or without charge, and wherein the special route type can override the default route type, and

wherein an electronic storefront system thereafter schedules at least one delivery stop using one or more of the set of schedulable timeslot segments, the at least one delivery stop being for delivery of a product or service.

11. (Canceled)

17. (Currently Amended) A computer-readable memory medium containing instruction for controlling a computer processor to dynamically create a schedule of timeslot segments for a plurality of routes and timeslots by:

determining from a calendar, a set of possible route types for a selected day and a template identifier;

based upon the determined set of possible route types, retrieving a set of available route types from a template identified by the template identifier, wherein the available route types are limited to those route types that are within the set of possible route types, wherein the template includes at least available route types,

for each available route type, determining a set of routes for the selected day; and

for each set of routes, creating a data repository a set of schedulable timeslot segments that correspond to the selected day,

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wherein the routes are determined based on the route types, the route types being descriptors or identifiers for grouping the different routes, and wherein each of the routes is not separated into the different route types, wherein at least one of the available route types is a default route type that is available for distribution of products or services on normal days, wherein at least another one of the available route types is a special route type that is available for distribution of products or services on holidays or without charge, and wherein the special route type can override the default route type, and

wherein an electronic storefront program thereafter schedules at least one delivery stop using one or more of the set of schedulable timeslot segments, the at least one delivery stop being for delivery of a product or service.

24. (Currently Amended) A computer-based home delivery scheduling system comprising:

- a data repository;

- a set of routines for automatically creating in the data repository scheduled timeslot segments for each timeslot, for each route, for a designated calendar day, based upon a template and a calendar system that indicates available routes, timeslots, and numbers of potential timeslot segments per timeslot subject to the available routes being permissible on a particular calendar day, wherein the template is a master pattern from which a copy may be made to create a schedule, wherein the template includes at least available route types,

wherein the routes are determined based on the available route types, the available route types being descriptors or identifiers for grouping the different routes, and wherein each of the routes is not separated into different route types, at least one of the available route types is a default route type that is available for distribution of products or services on normal days, at least another one of the available route types is a special route type that is available for distribution of products or services on holidays or without charge, and the special route type can override the default route type; and

a user interface for displaying and modifying scheduling data stored in the data repository by invoking the set of routines,

wherein thereafter using the scheduled timeslot segments to schedule deliveries of products and services purchased at an electronic storefront.

45-54. (Canceled)

Reasons for Allowance

6. Claims 1-10, 12-30, 43 and 44 are allowed.

7. The following is an examiner's statement of reasons for allowance:

With respect to independent claims 1, 17 and 24, none of the prior art of record, taken individually or in any combination, teach inter alia, the routes are determined based on the route types, the route types being descriptors or identifiers for grouping the different routes, and wherein each of the routes is not separated into the different

route types, wherein at least one of the available route types is a default route type that is available for distribution of products or services on normal days, wherein at least another one of the available route types is a special route type that is available for distribution of products or services on holidays or without charge, and wherein the special route type can override the default route type.

8. The prior art references most closely resembling Applicant's claimed invention are Edgar et al (USPN 5,848,395) and Hanzek (USPN 6,654,726).

Edgar et al disclose an appointment and scheduling system, wherein the are in which appointments are to be booked is divided into a number of regions that include a number of customer sites. In addition, Edgar et al disclose a database 10 that includes a number of tables 30, one for each day in a predetermined window in which appointments may be offered, wherein each of the tables contains a number of routes 31, wherein each route represents an itinerary for a particular operative on the day in question, and has a number of jobs associated with it. However, Edgar et al does not disclose the routes are determined based on the route types, the route types being descriptors or identifiers for grouping the different routes, and wherein each of the routes is not separated into the different route types, wherein at least one of the available route types is a default route type that is available for distribution of products or services on normal days, wherein at least another one of the available route types is a special route type that is available for distribution of products or

services on holidays or without charge, and wherein the special route type can override the default route type.

Hanzek discloses a web-based system 310, including a consumer front end 339, used for product ordering, tracking, and delivery of consumer products. However, Hanzek does not disclose the routes are determined based on the route types, the route types being descriptors or identifiers for grouping the different routes, and wherein each of the routes is not separated into the different route types, wherein at least one of the available route types is a default route type that is available for distribution of products or services on normal days, wherein at least another one of the available route types is a special route type that is available for distribution of products or services on holidays or without charge, and wherein the special route type can override the default route type.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

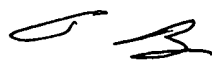
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571) 272-6726. The examiner can normally be reached on 9:30-6pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

adb
March 12, 2007


ANDRE ROYCE
PATENT EXAMINER
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